

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

James Harris, #241970,)	C.A. No. 0:07-0948-TLW-BM
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Ashley Dell, Legal Liaison at Charleston)	
County Detention Center,)	
)	
Defendant.)	
)	

The Plaintiff brought this *pro se* civil action against the Defendant, seeking release from prison and compensation for defamation and pain and suffering under 42 U.S.C. § 1983, based on an alleged mistake in Plaintiff's sentencing. Plaintiff pled guilty to credit card fraud and credit card theft and is currently incarcerated in Kirkland Correctional Institution.

This matter is now before the undersigned for review of the Report and Recommendation ("the Report") filed April 20, 2007 by United States Magistrate Judge Bristow Marchant, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In his Report, Magistrate Judge Marchant recommends that the Plaintiff's complaint be dismissed without prejudice and without issuance and service of process for failure to state a claim upon which relief may be granted. Plaintiff has not objected to the Report.¹

¹On May 14, 2007, Plaintiff moved for an extension of time to file objections to the Report. On October 18, 2007, Plaintiff was granted this motion and given 10 days to file objections. The letter informing Plaintiff of the extension was returned to the Court as undeliverable because Plaintiff has been released from prison. Plaintiff did not leave a forwarding address where he could be contacted.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

In light of this standard, the Court has carefully reviewed the Report and has concluded that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 9); and Plaintiff's complaint is dismissed without prejudice for failure to state a claim upon which relief may be granted.

IT IS SO ORDERED.

S/ Terry L. Wooten
TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

November 7, 2007
Florence, South Carolina